

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

1 Priscilla Ann Olguin (CONS/PE) Case Attorney Lind, Ruth P (for Public Guardian) Probate Status Hearing Re: Filing of the Next Account

Case No. 0447837

	PUBLIC GUARDIAN, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Successor Conservator of the Estate on	NEEDS/TROBLEMS/COMMENTS.
	12/13/1996.	Need Fifteenth Account or
	,,,,	current written status report
	Letters issued on 12/20/1996.	pursuant to Local Rule 7.5 which
Cont. from		states in all matters set for status
Aff.Sub.Wit.	Fourteenth Account was settled on	hearing verified status reports
Verified	07/03/2014.	must be filed no later than 10
Inventory	Minute Order of 07/03/2014 set this	days before the hearing. Status
PTC	Status Hearing for the filing of the next	Reports must comply with the
Not.Cred.	account.	applicable code requirements.
Notice of		Notice of the status hearing,
Hrg		together with a copy of the Status
Aff.Mail		Report shall be served on all
Aff.Pub.		necessary parties.
Sp.Ntc.		riecessary parties.
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 03/29/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 1- Olguin

2 Judith Louise Wright (Estate)

Case No. 06CEPR00933

the

Attorney Kruthers, Heather H. (for Public Administrator – Administrator with Will Annexed)
Pro per McDonald, Jackie (former Executor)

Probate Status Hearing RE: Filing of the Final Account and Issuance of Letters of

Public Administrator

DO	D: 08/19/06	JACKIE MCDONALD, sister-in-law, was appointed Executor on 10/10/06 and	NEEDS/PROBLEMS/COMMENTS:
		Letters Testamentary were issued to her on	Minute Order of 12/14/2015: Counsel
-		10/23/06.	requests four months to see if Steve
Co	nt. from 121415	On 01/22/15, JACKIE MCDONALD, was	Wright is able to obtain a loan to
	Aff.Sub.Wit.	removed as Executor and the Public Administrator was appointed as	purchase the property.
	Verified	Administrator with Will Annexed.	1. Need Final Account.
✓		First Account of former Executor was	
	Inventory	approved on 09/14/15. Minute Order from	
	PTC	09/14/15 set this status hearing re: Filing of the Final Account and Issuance of Letters to	
	Not.Cred.	the Public Administrator.	
	Notice of Hrg	Latters of Administration were issued to the	
	Aff.Mail	Letters of Administration were issued to the Public Administrator on 09/21/15.	
	Aff.Pub.		
	Sp.Ntc.	Status Report Regarding Filing Final Account filed 03/14/2016 states the estate is not in a	
	Pers.Serv.	condition to be closed. The real property	
	Conf. Screen	located at 2001 Winter Street, Kingsburg,	
	Letters	California is listed for sale. There was a Notice of Proposed Action for the sale of	
	Duties/Supp	the home filed 03/06/2015, but the sale fell	
	Objections	through because the buyers could not obtain financing. There have only been a	
	Video Receipt	couple of showings, and there are no	
	CI Report	interested buyers to date. The son, who is currently staying there and paying the	
	9202	mortgage, cannot qualify for a loan to	
	Order	purchase the house himself. The Public	
	Aff. Posting	Administrator must sell this property in order to close the estate. It is respectfully	Reviewed by: JF / LV
	Status Rpt	requested that the next hearing be set no	Reviewed on: 03/28/2016
	UCCJEA	sooner than 90 days from the date of this hearing in order to get the property sold	Updates:
	Citation	and the final account prepared.	Recommendation:
	FTB Notice		File 2 - Wright

Probate Status Hearing RE: Filing of the Fourth Account

	BARBARA CASTRO and JESSICA BURNETT.	NEEDS/PROBLEMS/COMMENTS:
	Daughters, are Co-Conservators of the	NEEDS/FROBLEMS/COMMENTS.
	Person. BARBARA CASTRO is sole	Note: Status Hearing Re: Removal of
	Conservator of the Estate.	Co-Conservators was continued to
	Conservator of the Estate.	04/07/2016.
Cont. from	Letters issued on 1/19/07	0.70.720.0.
Aff.Sub.Wit.		Need Fourth Account or current
Verified	Bond in the amount of \$156,000.00 filed	written status report pursuant to
Inventory	12/30/2014.	Local Rule 7.5 which states in all
PTC	Order Settling Third Account was filed	matters set for status hearing
Not.Cred.	09/15/2014.	verified status reports must be
Notice of		filed no later than 10 days before
Hrg	Minute Order of 12/01/2014 set this status	the hearing. Status Reports must
Aff.Mail	hearing for the fling of the Fourth Account.	comply with the applicable code
Aff.Pub.		requirements. Notice of the
Sp.Ntc.		status hearing, together with a
Pers.Serv.		copy of the Status Report shall be
Conf.		served on all necessary parties.
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order]	
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 03/29/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3- Castro

Attorney: Heather H. Kruthers (for Petitioner/Conservator Public Guardian)

Report of Sale and Petition for Order Confirming Sale of Real Property

			PUBLIC GUARDIA			п	EDS/PROBLEMS/COMMENTS:
			Conservator/pet				
			·		6120.000.00		
			Sale price Overbid	-	\$130,000.00 137,000.00	1.	Reappraisal for Sale filed 6/25/15
Co	nt. from		Overbia	-	137,000.00		listed the value of the real property at \$175,000.00.
	Aff.Sub.Wit.		Reappraisal	_	\$140,000.00		Reappraisal for Sale filed on
	Verified		Коарргаза		ψ1 10,000.00		3/3/16 lists the value of the real
			Property	_	47409		property at \$140,000.00. The
_	Inventory		Thunderhill Lane,	, Squaw \	/alley, CA		\$130,000 sales price is not within
	PTC						90% of the appraised value of
	Not.Cred.		Publication	-	Business		the Reappraisal for Sale filed on 6/25/15 as required by the
✓	Notice of		Journal				Probate Code. The \$130,000
	Hrg	24//	_		_		sales price is within the
✓	Aff.Mail	W/	Buyers -		Freeman, as		Reappraisal for Sale of \$140,000
✓	Aff.Pub.		a single man as l property.	nis soie ai	na separate		filed on 3/3/16. The order states at #6 states 90% of the appraised
	Sp.Ntc.						value cannot be obtained on
	Pers.Serv.		Broker -	\$6,50	0.00 (5%		this property. With the
	Conf.		- payable 50% to	Jeff Star	buck of	Reappraisal for Sale filed or	
	Screen		Guarantee Real	•			3/3/16 the sale is within 90% of
	Letters		McReynolds of C	Century 2	1- Watson		the appraised value. Therefore,
	Duties/Supp		Realty.				need new order.
	Objections					2.	Probate Code 2543(d) and 10250
	Video						requires the Notice of Sale to be
	Receipt						posted by the Probate Clerk at
	CI Report						least 15 days prior to the hearing.
	9202						The Notice was inadvertently not
1	Order						posted.
	Aff. Posting	Χ				Re	viewed by: KT
	Status Rpt					Reviewed on: 3/28/16	
	UCCJEA					Updates:	
	Citation					Re	commendation:
	FTB Notice					File	e 5- Sager

6 Roxanne Ruiz (GUARD/E) Attorney Janian, Paulette (for Grace Ruiz

Case No. 12CEPR00058

Janian, Paulette (for Grace Ruiz – Mother – Guardian of the Estate)

Third and Final Account and Report of Guardian, Petition for Settlement of Account, for Attorneys Fees and for Termination of Guardianship

		GRACE RUIZ , Mother and Guardian of the Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.	Account period: 3/11/15 to 2/22/16 Accounting: \$169,461.27 Beginning POH: \$167,775.79 Ending POH: \$168,499.27 (held in blocked account)	
	Inventory PTC	Guardian waives compensation	
~	Not.Cred.	Attorney: \$500.00 (2.5 hours @ \$200/hr)	
	Hrg	Petitioner prays for an order as follows:	
~	Aff.Mail w	1. (2.11)	
	Aff.Pub.	Settling and allowing the account and report and approving and	
	Sp.Ntc.	confirming the acts of Petitioner as	
	Pers.Serv.	guardian;	
	Conf.		
	Screen	2. Fixing and allowing the sum of	
	Letters	\$500.00 as compensation to Paulette Janian for legal services	
	Duties/Supp	rendered to the guardian and	
	Objections	estate during the period of this	
	Video	account;	
	Receipt		
_	CI Report 2620(c)	3. For termination of the guardianship	
	Order	and authorization to turn over all guardianship assets to ROXANNE	
	Aff. Posting	RUIZ; and	Reviewed by: skc
	Status Rpt		Reviewed on: 3/28/16
	UCCJEA	4. Granting such other and further	Updates:
	Citation	relief as the Court deems proper.	Recommendation:
	FTB Notice		File 6- Ruiz

Attorney

Lawson K. Renge (for Petitioner Betty A. Pate, Executor)

Amended First and Final Account and Report of Administration and Petition for Final Settlement and Distribution; Accounting Waived

	Don 4/4/2010 Destry a part of the first of t			
DOD: 4/4/2013			BETTY A. PATE , daughter and Executor, is	NEEDS/PROBLEMS/COMMENTS:
			Petitioner.	
			Accounting is waived.	Note: Proposed order has been
			Accounting is waived.	interlineated to correct the
Co	ont. from 10221:	5		statutory fee and distribution amounts.
	Aff.Sub.Wit.		POH — \$493,100.79	amounis.
✓	Verified		(\$83,672.41 is cash)	
1	Inventory		Executor — \$14,968.57	
1	PTC		(statutory)	
✓	Not.Cred.		Attorney — \$14,968.57	
1	Notice of		(statutory)	
Ľ	Hrg			
✓	Aff.Mail	W/	Distribution pursuant to Decedent's Will is to:	
	Aff.Pub.		HAAAY E CELTED CO/ 0/7 [//] o colo cuo	
	Sp.Ntc.		JIMMY E. SELZER – \$26,867.[64] cash, an undivided ½ interest in Installment Note, and	
	Pers.Serv.		an undivided ½ interest in truck.	
	Conf.		an ondivided /2 interest in flock.	
	Screen		BETTY A. PATE – \$26,867.[64] cash, an	
	Letters 0802	213	undivided ½ interest in Installment Note, and	
	Duties/Supp		an undivided ½ interest in truck.	
	Objections			
	Video			
	Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			Reviewed by: LEG
	Status Rpt			Reviewed on: 3/29/16
	UCCJEA			Updates:
	Citation			Recommendation: SUBMITTED
✓	FTB Notice			File 8 – Guidi

Margaret Connie Magallanes (Estate) Case No. 14CEPR00578 9

Attorney: Anthony G. Celaya (for Petitioner Felix C. Magallanes)

Attorney: Jeffrey B. Pape (for Margie Martinez and Monica Magalanes)

Probate Status Hearing RE: Filing of an Amended Petition

DOD: 11/5/13	FELIX C. MAGALLANES , Administrator, filed a Complete Restatement of First	NEEDS/PROBLEMS/COMMENTS:
Cont. from	and Final Account, Report of Administrator, Petition for Statutory Fees and for Distribution of Intestate Estate	Need amended petition or current written status report pursuant to Local Rule 7.5 wh
Aff.Sub.Wit.	that was set for hearing on 2/29/16. Examiner notes pointed out several	states in all matters set for sto hearing verified status reports must be filed no later than 10
Inventory	issues that needed to be address by the filing of an amended petition. Among	days before the hearing. Star Reports must comply with the
PTC Not.Cred.	the issues raised was that the attorney received attorney fees totaling	applicable code requirement Notice of the status hearing,
Notice of Hrg	\$25,585.43 without first obtaining a court order.	together with a copy of the S Report, shall be served on all
Aff.Mail		necessary parties.
Aff.Pub.	Minute Order dated 2/29/16 states Mr.	
Sp.Ntc.	Celaya requests a 30 day continuance to file an amended petition. Mr.	
Pers.Serv.	Celaya represents that the fees paid to	
Conf. Screen	him were paid prior to this case being filed. The Court orders that the paid	
Letters	fees be returned to the estate by	
Duties/Supp	4/4/16, and that Mr. Celaya file verified	
Objections	proof. Furthermore, the Court orders that Mr. Celaya to not accept any	
Video Receipt	additional fees without a court order, and that the Administrator is not to pay	
CI Report	any additional fees without a Court	
9202	order.	
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 3/28/16
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 9- Magallanes

atus report al Rule 7.5 which ers set for status status reports later than 10 hearing. Status mply with the e requirements. itus hearing, copy of the Status served on all s.

10 Jennifer Barrios (GUARD/P) Petitioner Aida Barrios (Pro Per – Mother)

Case No. 14CEPR00769

Petition for Termination of Guardianship

Age: 16	AIDA BARRIOS, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Age. 16	AIDA BARRIOS, Momer, is perinoner.	NEEDS/FROBLEMS/COMMENTS.
	<u>Please see petition for details</u>	Minute Order of 02/29/2016: Examiner notes provided in open court.
Cont. from 022916		The following issues remain:
Aff.Sub.Wit.		
✓ Verified		1. Need Notice of Hearing.
Inventory		2. Need proof of service fifteen
PTC		(15) days prior to the hearing of
Not.Cred.		the Notice of Hearing along
Notice of Hrg X		with a copy of the Petition for
Aff.Mail X		Appointment of Guardian or
Aff.Pub.		consent and waiver of notice or declaration of due diligence
Sp.Ntc.		for:
Pers.Serv.		 Isidro Barrios (Father)
Conf. Screen		 Annette Galvan
Letters		(Guardian)
Duties/Supp		Jennifer Barrios (Minor)Paternal Grandparents
Objections		(Not Listed)
Video		 Maternal Grandparents
Receipt		(Not Listed)
✓ CI Report		
9202		
✓ Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 03/29/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 10- Barrios

Case No. 14CEPR00878

11 Vera Brown (CONS/PE)
Attorney Kruthers, Heather H (for Public Guardian)

Probate Status Hearing RE: Filing of the First Account

	PUBLIC GUARDIAN, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Conservator of the person and estate on	
	12/09/2014.	1. Need First Account.
	=	
Coul from	Letters issued on 12/10/2014.	
Cont. from		
Aff.Sub.Wit.	Inventory & Appraisal No. 1 filed 02/02/2015	
Verified	shows an estate valued at \$85,000.00.	
Inventory	Inventory & Appraisal Reappraisal for Sale filed	
PTC	= 04/03/2015 shows estate valued at \$80,000.00.	
Not.Cred.	04/00/2013 3110443 C3101C Valoca at \$00,000.00.	
Notice of	Inventory & Appraisal Final filed 04/30/2015	
Hrg	shows an estate valued at \$391,377.07.	
Aff.Mail	<u> </u>	
Aff.Pub.	Minute Order of 12/09/2014 set this Status	
Sp.Ntc.	Hearing re: the filing of the First Account.	
Pers.Serv.		
Conf.	Status Report Regarding Filing of the First Account filed 03/07/2016 states the Public	
Screen	Guardian is short staffed. One of the support	
Letters	staff suddenly retired for medical reasons.	
Duties/Supp	Although the Public Guardian has recently	
	hired a replacement, she will not start work until	
Objections National Property of the Control of the	March 14, 2016. She will need to be trained	
Video	and will not be able to work independently	
Receipt	until she is trained. The person who prepares	
CI Report	the necessary documents for the accounts is	
9202	currently covering both her duties and the	
Order	duties of the other staff member who retired.	
Aff. Posting	She is the only one training the new replacement. Therefore, she will be unable to	Reviewed by: LV
Status Rpt	get all the accounts done that need to be	Reviewed on: 03/29/2016
UCCJEA	done before the scheduled status hearings.	Updates:
Citation	Furthermore, there have been a large number	Recommendation:
FTB Notice	of accounts set for status hearings, which	File 11- Brown
	makes it even harder for her to get to all of	
	them. In addition, where applicable, her	
	services are needed to correct errors and	
	discrepancies found by the Probate Examiners	
	in the accounts that are being heard.	
	Therefore, it is respectfully requested that the	
	next status hearing for this matter be set no sooner than 90 days from the date of this status	
	hearing.	
	I rouning.	

12 Cecil Tange (Estate) Co Attorney Renge, Lawson K. (for Ted Tange – Executor)
Probate Status Hearing RE: First or Final Account

DOD: 07/19/2014	NEEDS/PROBLEMS/COMMENTS:
	OFF CALENDAR.
	<u>First and Final Account filed</u>
Cont. from	<u>03/21/2016</u> . Hearing is set for
Aff.Sub.Wit.	<u>05/11/2016.</u>
Verified	
Inventory	
PTC	
Not.Cred.	
Notice of	
Hrg	
Aff.Mail	
Aff.Pub.	
Sp.Ntc.	
Pers.Serv.	
Conf.	
Screen	
Letters	
Duties/Supp	
Objections	
Video	
Receipt	
CI Report	
9202	
Order Aff. Posting	Reviewed by: LV
Status Rpt	Reviewed by: LV
UCCJEA	Updates:
Citation	Recommendation:
FTB Notice	File 12- Tange
11121101100	range

Attorney Charles M. Palmer (for Petitioner Houa Yang)

Conservator's Petition for Orders Authorizing Payment of Compensation for Attorney's Fees to Date

			Α
			DR.
			Со
			ap
			at:
Co	ont. from 02291	6	ac
	Aff.Sub.Wit.		Pet
	Verified		pa
Ě	Inventory		his
✓	inveniory		mo
	PTC		Loc
	Not.Cred.		foll
✓	Notice of		•
	Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf.		•
	Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video		•
	Receipt		
	CI Report		
	9202		
✓	Order		•
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

DR. HOUA YANG, spouse and Conservator of the Person and Estate appointed on 10/8/2015 with bond fixed at \$22,818.40 and deposits into blocked account, is Petitioner.

Petitioner requests an order authorizing payment of compensation for the fees of his attorney for services to date in this matter, pursuant to Probate Code § 2640 and 2623, CA Rule of Court 7.702, and Local Rule 7.16, based upon the following:

- Petitioner seeks compensation for attorney's fees charged for services in representing Petitioner to establish the conservatorship and to thereafter act as Conservator, in the amount of \$3,830.00, for 19.15 hours @ \$200.00/hour;
- These fees are just and reasonable because they represent only those services necessary to establish the conservatorship and to continue assisting the Conservator to execute his duties, and nothing more;
- This Petition complies with Probate Code § 2640 [subsections enumerated with statements of applicability of the instant petition];
- As per Local Rule 7.16(A), this Petition complies with CA Rule of Court 7.750 through 7.752; per Rule of Court 7.750, this Petition seeks compensation payable from the estate of the Conservatee, specifically monies received by the Conservatee under an Accelerated Benefits Rider Claim from the Conservatee's insurance company, which are deposited into a blocked account;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

<u>Page 13B</u> is the Ex Parte Petition for Withdrawal of Funds from Blocked Account.

Continued from 2/29/2016. Minute Order states counsel represents that he has the verification with him today; he is to file a verified declaration by 3/21/2016 with regard to his explanation for item number two of the examiner's notes.

Note: Declaration Re
Conservatorship of the Person and
Estate filed 3/15/2016 includes an
attached explanation of the
Conservatorship Estate, and an
attached Corrected Final Inventory
and Appraisal, showing that the
estate consists of \$13,602.78 cash
and \$15,500.00 of personal
property (jewelry and clothes).

1. Proposed Order for Withdrawal of Funds from Blocked Account lists in Item 4 (a) HOUA YANG as payee of \$3,000.00, and in Item 4(b) CHARLES M. PALMER as payee of \$1,944.50. Need clarification regarding the inconsistency of the proposed order compared with the request in the Petition for payment to Attorney Palmer of \$3,830.00 for fees.

Reviewed by: LEG
Reviewed on: 3/28/16
Updates:
Recommendation:
File 13A- Lor

13A Additional Page, Ker Lor (CONS/PE)

Case No. 15CEPR00841

Petitioner states, continued:

- Per Rule 7.751(a), this Petition requests compensation for services rendered before an order appointing Conservator; most of the attorney's services were rendered before such an order as they were for the purpose of establishing the conservatorship;
- Per Rule 7.752, it is in the Court's discretion whether or not to order the Conservator to file an accounting before or at the time the petition if filed or heard; this requirement should be waived for two reasons: (1) a mere 90 days has passed since Letters were issued, and thus there has been no financial activity to warrant such an accounting; (2) the bulk of monies received into the Conservatee's estate, namely benefits of \$13,223.12, has been placed into a blocked account where it remains untouched as of this date;
- No order for withdrawal has been issued to date, therefore, an accounting is not necessary at this
 point and Petitioner requests it be waived;
- Attorney services performed were interview parties involved (Conservatee, Conservator, family
 members and others); review records, documents and information provided by clients and family;
 draft and file various forms to petition for conservatorship; serve various parties notice; attend the
 hearing; contact various financial institutions, medical personnel, and others; open blocked account;
 prepare inventory and appraisal; the difficulty of these tasks was on par with typical attorney tasks.

Petitioner requests a Court order authorizing payment of compensation for attorney's fees to date in this matter in the amount of \$3,830.00.

Attorney Charles M. Palmer (for Petitioner Houa Yang)

Ex Parte Petition for Withdrawal of Funds from Blocked Account

Со	nt. from	
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of	Χ
	Hrg	
	Aff.Mail	Χ
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf.	
	Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video	
	Receipt	
	CI Report	
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

Dr. HOUA YANG, spouse and Conservator of the Person and Estate appointed on 10/8/2015, is Petitioner.

Petitioner requests withdrawals totaling \$7,260.00 from the blocked account, representing the following sums for the following purposes:

- \$6,060.00 for purchase of a wheelchair (motorized cart), and a bed to payee RAY FISHER PHARMACY;
 - Printout of the cart specifications and price attached showing a price range of \$1,500.00;
 - Printout of the bed specifications, optional supplies, and price range attached showing a range of \$3,700.00 to \$4,100.00;
- \$1,200.00 for reimbursement to GARY YANG for payment of February rent on 2/1/2016; copy of receipt showing payment for rent for an address on E. Hedges Ave.

NEEDS/PROBLEMS/COMMENTS:

Note Re Future Hearing: Probate Status Hearing is set in this matter for the filling of the First Account of the Conservatorship Estate on 12/12/2016 at 9:00 a.m. in Dept. 303.

Note Re Assets: Corrected Final Inventory and Appraisal filed 3/15/2016 shows an estate value of \$29,102.78 of which \$13,602.78 is cash. If Court grants the Petitioner the authority to make the requested purchases, the property on hand must reflect the acquisitions as Conservatorship Estate assets at the time of the accounting.

 Need proof of service of Notice of Hearing with a copy of the Petition served to all interested parties pursuant to the Order on Ex Parte Petition for Withdrawal of Funds from Blocked Account filed 3/16/2016.

Reviewed by: LEG
Reviewed on: 3/28/16
Updates:
Recommendation:
File 13B- Lor

13**B**

Attorney

Aaron Owens (CONS/PE)
Nuttall, Natalie R. (for Petitioner Johnny Robinson)

Petition for Appointment of Probate Conservator of the Person and Estate

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:
			Court Investigator to advise rights.
Cont. from 012816			SEE ADDITIONAL PAGES
Aff.Sub.V			0127(33)11(07(7)(217)(010
✓ Verified			
Inventor	у		
PTC			
Not.Cred	J.		
Notice o	of X		
Aff.Mail	Х		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv	/. W		
Conf.			
Screen			
Letters	Х		
✓ Duties/Su	ирр		
Objectio	ons		
Video			
Receipt			
CI Repor	rt x		
9202			
Order	Х		
Aff. Posti			Reviewed by: skc
Status Rp			Reviewed on: 3/28/16
UCCJEA			Updates:
✓ Citation			Recommendation:
FTB Notic	ce		File 15- Owens

Page 2 - NEEDS/PROBLEMS/COMMENTS:

1. Petitioner states he is the uncle of the proposed Conservatee (maternal/paternal not specified). Need clarification regarding Petitioner's priority to nominate a conservator pursuant to Probate Code §1810, et seq. Specifically, §1811 provides for nomination by a spouse, parent, adult child, or sibling.

Case No. 15CEPR01154

- 2. The Professional Fiduciary Attachment filed 2/9/16 is blank at #2C. Need clarification as to whether there was any prior relationship with the proposed Conservatee or his family before engagement in this matter.
- 3. Petition is incomplete at #11 need complete list of all relatives within the second degree, with relationships and addresses. If deceased, need dates of death per Local Rule 7.1.1.D.
- 4. Need Notice of Hearing and proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1822 on all relatives listed at #11 of the petition, including:
 - Betty Robinson (relationship not stated)
 - Johnny Robinson (grandfather)
 - Elaina Woods (mother)
 - William Tyrone Williams, Sr. (father)
 - Elaina Owens (sister)
 - William Tyrone Williams, Jr. (brother)
 - Kenny Howard (brother)
 - Keisha Woods (sister)
- 5. The Court may also require service of Notice of Hearing on the attorney representing the proposed Conservatee in the civil matter.
- 6. Need video receipt from Ms. Hill per Local Rule 7.15.8.A.
- 7. Pursuant to Probate Code §2320(c) and Cal. Rule of Court 7.207, the Court will required bond including cost of recovery. Need estimated value of estate. Alternatively, the Court may require funds to be held in a blocked account pursuant to Local Rule 7.8.
- 8. Petitioner does not request medical consent power under Probate Code §2355 at #1g of the petition; however, Petitioner indicates at #9 that a Capacity Declaration regarding capacity to give informed consent to medical treatment will be filed. Need clarification: Is Petitioner requesting medical consent powers? If so, need Capacity Declaration.
- 9. Need order, Letters. Local Rule 7.1.1.F.

Note: If granted, the Court will set status reports as follows:

- Monday, May 23, 2016 for the filing of bond or receipt for blocked account, if appropriate
- Monday, August 1, 2016 for the filing of the Inventory and Appraisal
- Monday, June 5, 2017 for the filing of the first account

16 Jasmine Sandoval, Vincent Rodriguez (GUARD/P)

Case No. 15CEPR01224

Petitioner: Ray Ramos, JR. (pro per)

Objector: Manuel Valdez Sandoval (pro per)

Objector: Monty Villegas (pro per)

Petition for Appointment of Guardian of the Person

Petition for Appointment of Guardian of the Person						
	TEMPORARY EXPIRES 4/4/16 NEEDS/PROBLEMS/COMMENTS:					
			RAY ANTHONY RAMOS , step-father, is petitioner.	Need proof of service of the Notice of Hearing along		
	nt. from 02221	<u> </u>		with a copy of the petition		
	Aff.Sub.Wit.	<u> </u>	Please see petition for details.	or consent and waiver of notice on:		
	Verified		Tiedse see pelillottiol details.	a. Jasmine's paternal		
✓			Objections to Guardianship filed by Manuel	grandfather (unknown)		
	Inventory		Valdez Sandoval [Jasmine's father] filed on	– unless the court		
	PTC		12/31/15.	dispenses with notice.		
	Not.Cred.			b. Jasmine's paternal		
1	Notice of Hrg		Objections to Guardianship filed by Monty Villegas [Vincent's father] filed on 1/5/16.	grandmother – Maria Dollres		
✓	Aff.Mail	W/	Evidence and Proof filed by Monty Villegas	2. Objections of Manuel		
	Aff.Pub.		on 2/22/16.	Valdez Sandoval do not		
	Sp.Ntc.		Count lavor discolor balls Nove 1.1 Box	include a proof of service.		
√	Pers.Serv.	W/	Court Investigator Julie Negrete's Report filed on 2/11/16.			
✓	Conf.					
	Screen	<u> </u>				
✓	Letters					
✓	Duties/Supp					
✓	Objections					
	Video					
	Receipt					
✓	CI Report					
	9202					
✓	Order					
	Aff. Posting			Reviewed by: KT		
	Status Rpt			Reviewed on: 3/28/16		
✓	UCCJEA			Updates:		
	Citation			Recommendation:		
<u>L</u>	FTB Notice			File 16- Sandoval & Rodriguez		

17 Attorney

Jaydin Pineda, Adysin Pineda (GUARD/P) Case No. 16CEPR00098 Rusca, Rose Marie (for Petitioner Lisa "Lee" Bispo)

Petition for Appointment of Guardian of the Person

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
~ ~	Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub.		See permontor details.	Amended Minute Order 2/10/16 (Temp) states: Written objections are to be filed and properly served no later than 2/17/16. The Court orders supervised visitation for Joe Pineda. See minute order for details. Note: As of 3/29/16, no objections have been filed. 1. It appears the notice to the paternal grandparents was served with an incorrect hearing date of 3/4/16. The Court may require further notice to:
<u> </u>	Sp.Ntc.			- Joseph Pineda, Jr. (paternal
<u> </u>	Pers.Serv.	W		grandfather)
\	Conf. Screen			- Priscilla Arambula (paternal grandmother)
	Letters			granamomery
È	Duties/Supp			
l 	Objections			
	Video Receipt			
-	Cl Report			
	9202			
	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed by: 3KC
~	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 17- Pineda
	FID NOTICE			riie 17- riiieaa

18 Keimya Boyd, Danielle Boyd, Marquise Boyd, Devin Boyd (GUARD/P) Case No. 16CEPR00101

Petitioner Fairly, Rasheena M (Pro Per – Sister)

Petition for Appointment of Guardian of the Person

Ке	imya, 14		TEMPORARY EXPIRES 04/04/2016	NEEDS/PROBLEMS/COMMENTS:
Danielle, 8				·
Devin, 7			RASHEENA FAIRLY, sister, is Petitioner.	
Mo	arquis, 6		Please see petition for details	
Co	nt. from		1 10 do o o o pomion for dording	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of	n/a		
	Hrg	_		
	Aff.Mail	n/a		
-	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	n/a		
 	Conf. Screen			
/	Letters			
1	Duties/Supp			
	Objections			
	Video			
	Receipt			
1	CI Report			
	9202			
1	Order			
	Aff. Posting			Reviewed by: LV
	Status Rpt			Reviewed on: 03/29/2016
✓	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 18- Boyd

Petitioner Maria Cruz Almeraz Nava (Pro Per – Paternal Great-Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person

	See petition for details.	NEEDS/PROBLEMS/COMMENTS:
		, , , , , , , , , , , , , , , , , , , ,
Aff.Sub.Wit. Verified Inventory PTC		1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Randy Haro (Father)
Not.Cred. V Notice of Hrg V Aff.Mail W/O		Note: It appears the father was served re the temp hearing on 3/23/16, but not this hearing on 4/4/16.
Sp.Ntc. Pers.Serv.		Notice of Hearing filed 2/19/16 is incomplete: It does not indicate the date
✓ Conf. Screen ✓ Letters		and place that the mailing occurred, it does not indicate that a copy of the
✓ Duties/Supp		petition was mailed with the Notice of Hearing as
Objections		required by Probate Code
Video Receipt		§1511, and it is not signed by the server. Therefore,
✓ CI Report		the Court may require
✓ Clearances		further service or amended
✓ Order		proof of service on all grandparents: - Jose Luis Haro - Tony Brown
		- Bertha Lopez
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3/29/16
✓ UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 19- Brown/ Haro

Attorney

Durost, Linda K. (for Petitioner Amalia Alvarez)

Petition for Appointment of Guardian of the Estate

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
				This is a petition for guardianship
Co	nt. from			of the estate under Probate Code §1510 based on the
	Aff.Sub.Wit.			minor's anticipated receipt of
~	Verified			funds as beneficiary of an
	Inventory			insurance policy.
	PTC			
	Not.Cred.			There is no provision or authority for creation of an irrevocable
~	Notice of			trust as described by Petitioner
	Hrg			under this circumstance. Upon
~	Aff.Mail	W		establishment of a guardianship
	Aff.Pub.			of the estate, the funds must be
	Sp.Ntc.			managed in accordance with the Probate Code and other
	Pers.Serv.			applicable law.
~	Conf.			
	Screen			
~	Letters			SEE ADDITIONAL PAGES
~	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
	9202			
ľ	Order			Paviance d have also
	Aff. Posting			Reviewed by: skc
-	Status Rpt UCCJEA			Reviewed on: 3/29/16 Updates:
ľ	Citation			Recommendation:
	FTB Notice			File 21- Walker
L	אטווטוו פו ו			THE ZI- WUINCH

Case No. 16CEPR00205

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

2. Pursuant to Local Rule 7.8.1, it is the policy of the Court to block all funds in guardianship estates, with funds to be held in federally insured depositories.

If Petitioner wishes to make investments as described in Probate Code §2574, the Court will require bond in the amount of \$422,400.00. See Probate Code §2320(c) and Cal. Rule of Court 7.207.

If Petitioner wishes to make investments other than as described in §2574, further information is necessary and/or petition may be required under Probate Code §2570.

- 3. Need further information regarding the request for child support pursuant to Probate Code §2422, including the amount Petitioner is requesting from this minor, the period of time support is requested for, and any other relevant information, such as Petitioner's income/financial situation and other sources of support for this minor.
- 4. Petitioner indicates that the civil lawsuit regarding the decedent's death is unlikely to result in substantial recovery; however, the Court may require further information regarding this action.
- 5. The Court may require further information regarding the minor's father's estate and whether any additional funds are assets, other than what is described herein, may become available via probate estate or other distribution.
- 6. The request for attorneys' fees and costs is premature. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal, but not before the expiration of 90 days from issuance of Letters. Further, the petition must specify the amount requested and provide itemization and other information pursuant to Cal. Rules of Court 7.751, 7.702. See also Cal. Rule of Court 7.752, which provides that notwithstanding earlier petition, the Court may order accounting prior to allowance of compensation, and Local Rule 7.16, which provides that attorneys' fees and costs are typically considered at first account.

<u>Note</u>: Although no amount is specified in the petition and no itemization is provided, the proposed order indicates \$1,800.00 at #10.

7. If blocked account is required, need Order to Deposit Money Into Blocked Account (MC-355) and the Court will set a status hearing for the filing of the Receipt (MC-356).

Note: If guardianship of the estate is granted, the Court will set status hearings as follows:

- Monday, May 16, 2016 for the filing of the receipt for blocked account and/or bond.
- Monday, August 1, 2016 for filing the Inventory and Appraisal. See Probate Code §2610.
- Monday, June 5, 2017 for filing the first account. See Probate Code §2620.

If the proper items are on file, status hearings may come off calendar. See Local Rule 7.5.

Petition for Appointment of Guardian of the Estate

			See petition for details.	NEEDS/PROBLEMS/COMMENTS:
				This is a petition for guardianship of the estate under Probate
Co	nt. from			Code §1510 based on the
<u> </u>	Aff.Sub.Wit.			minor's anticipated receipt of
~	Verified			funds as beneficiary of an insurance policy.
I <u></u>	Inventory			modulice policy.
I <u></u>	PTC			There is no provision or authority
	Not.Cred.			for creation of an irrevocable
~	Notice of Hrg			trust as described by Petitioner under this circumstance. Upon
	Aff.Mail	W		establishment of a guardianship
-	Aff.Pub.	_ v v		of the estate, the funds must be
	Sp.Ntc.			managed in accordance with
	Pers.Serv.			the Probate Code and other
_	Conf.			applicable law.
	Screen			SEE ADDITIONAL PAGES
~	Letters			
~	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
<u> </u>	9202			
_	Order			De la collection de la
	Aff. Posting			Reviewed by: skc
	Status Rpt UCCJEA			Reviewed on: 3/29/16
Ť	Citation			Updates: Recommendation:
	FTB Notice			File 22- Abarca
	I I D NOIICE			THE ZZ- ADUICU

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

9. Pursuant to Local Rule 7.8.1, it is the policy of the Court to block all funds in guardianship estates, with funds to be held in federally insured depositories.

If Petitioner wishes to make investments as described in Probate Code §2574, the Court will require bond in the amount of \$422,400.00. See Probate Code §2320(c) and Cal. Rule of Court 7.207.

If Petitioner wishes to make investments other than as described in §2574, further information is necessary and/or petition may be required under Probate Code §2570.

- 10. Petitioner requests support from this minor's estate; however, the decedent is not this minor's father. Her father, Octavio Abarca, and mother, Petitioner, both living, are responsible for her support. Need further information and authority regarding the request for child support pursuant to Probate Code §2422, including the amount Petitioner is requesting from this minor, the period of time support is requested for, and any other relevant information, such as Petitioner's income/financial situation and other sources of support for this minor, including support from Mr. Abarca.
- 11. Petitioner indicates that the civil lawsuit regarding the decedent's death is unlikely to result in substantial recovery; however, the Court may require further information regarding this action.
- 12. The request for attorneys' fees and costs is premature. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal, but not before the expiration of 90 days from issuance of Letters. Further, the petition must specify the amount requested and provide itemization and other information pursuant to Cal. Rules of Court 7.751, 7.702. See also Cal. Rule of Court 7.752, which provides that notwithstanding earlier petition, the Court may order accounting prior to allowance of compensation, and Local Rule 7.16, which provides that attorneys' fees and costs are typically considered at first account.

Note: Although no amount is specified in the petition and no itemization is provided, the proposed order indicates \$1,800.00 at #10.

13. If blocked account is required, need Order to Deposit Money Into Blocked Account (MC-355) and the Court will set a status hearing for the filing of the Receipt (MC-356).

Note: If guardianship of the estate is granted, the Court will set status hearings as follows:

- Monday, May 16, 2016 for the filing of the receipt for blocked account and/or bond.
- Monday, August 1, 2016 for filing the Inventory and Appraisal. See Probate Code §2610.
- Monday, June 5, 2017 for filing the first account. See Probate Code §2620.

If the proper items are on file, status hearings may come off calendar. See Local Rule 7.5.

Saenz, Joe, Jr. (Pro Per – Maternal Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person

	See petition for details.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 032116 Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of X Hrg Aff.Mail X Aff.Pub. Sp.Ntc. Pers.Serv. X Conf. Screen Letters Duties/Supp	See petition for details.	
Objections Video Receipt CI Report Clearances		Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: - Israel Aguilar (Father)
✓ Order		- Rachael Saenz (Mother) 3. Need proof of service of Notice of
		Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: - Paternal Grandparents - Maternal Grandmother
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3/28/16
✓ UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 23- Aguilar/ Saenz

24 Aurora Gonzalez (Estate)

Attorney Kruthers, Heather (for Public Administrator)
Petitioner Marin, Ernestine G. (Pro Per Petitioner)

Case No. 16CEPR00136

Probate Status Hearing RE: Report of the Public Administrator

DOD: 12/28/13	ERNESTINE G. MARIN , daughter, filed a	NEEDS/PROBLEMS/COMMENTS:
	Petition for Probate of Will and for	
	Letters Testamentary on 2/8/16.	
	At the hearing on 3/21/16, the Court denied the petition, appointed the	Need Order, Letters for appointment of Public Administrator.
Aff.Sub.Wit.	Public Administrator as personal	2. Need status report from Public
Verified	representative, and set this status	Administrator.
Inventory	hearing re report from the Public Administrator.	Note: If the Public Administrator will
PTC	Administrator.	serve as Personal Representative, the
Not.Cred.	Minute Order 3/21/16 states: Petitioner	Court will set the following status
Notice of	represents to the Court that the only	hearings:
Hrg	asset is an encumbered home that they	Monday, September 12, 2016 for
Aff.Mail	are trying to keep from going to	filing the Inventory and Appraisal
Aff.Pub.	auction by the county in early April. The Court denies and dismisses Ms. Marin's	Monday, June 12, 2017 for filing the first/final account.
Sp.Ntc.	petition and appoints the Public	ine ilisi/ilindi accouni.
Pers.Serv.	Administrator; Letters are to issue	
Conf.	forthwith from the minute order. The	
Screen	Public Administrator is to contact	
Letters	Melissa Trejo, Petitioner's daughter,	
Duties/Supp	forthwith due to the time issue. Set on	
Objections	4/4/16 for Status RE: Report from the Public Administrator.	
Video	TODIC AUTINISTATOL.	
Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 3/28/16
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 24- Gonzalez
		24

Manuel Torres, Mady Martinez (GUARD/P) Case No. 15CEPR00629 25

Petitioner Torres, Jessica (Pro Per – Aunt) Petitioner Lopez, Ignacio (Pro Per – Uncle)

Petition for Appointment of Temporary Guardian of the Person

Mc	ıdy Age: 7		GENERAL HEARING 05/24/2016	NEEDS/PROBLEMS/COMMENTS:
			JESSICA TORRES, aunt, and IGNACIO LOPEZ, uncle, are petitioners.	Note: Petition pertains only to Mady Martinez. Maternal Aunts, Victoria
Со	nt. from		Please see petition for details	Gonzales and Veronica Valdez, were appointed guardians of
	Aff.Sub.Wit.		riedse see pennon for defans	Manuel Torres on 08/26/2015.
1	Verified			Need Notice of Hearing.
	Inventory			1. Nood Noned of Floating.
	PTC			2. Need proof of personal service
	Not.Cred.			five(5) days prior to the hearing
	Notice of Hrg	Х		of the Notice of Hearing along with a copy of the Petition for
	Aff.Mail	n/a		Appointment of Temporary
	Aff.Pub.	, -		Guardian or consent and waiver of notice or declaration of due
	Sp.Ntc.			diligence for:
	Pers.Serv.	Х		Christina Torres (Mother)
1	Conf.			
	Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video			
	Receipt			
	CI Report			
	9202			
√	Order			
	Aff. Posting			Reviewed by: LV
	Status Rpt			Reviewed on: 03/29/2016
✓	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 25- Torres/ Martinez

Attorney

Howk, Robert L. (for Craig MacGlashan – Executor)

Petition for Settlement and Final Distribution on Waiver of Accounting, Report of and Petition for Allowance of Compensation to Executor and Attorneys for Ordinary Services

DO	D: 1/1/14		CRAIG MACGLASHAN, Son and Executor with Limited IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
			Accounting is waived.	Minute Order 3/28/16: Matter is
Со	nt. from 03281	6	I&A: \$963,766.62	short-set for
	Aff.Sub.Wit.		Supp I&A: \$138,900.016	Counsel to address
>	Verified		POH: <u>Not stated</u>	item four of the
>	Inventory		Declaration filed 3/25/16 states a statement of current	examiner notes.
>	PTC		property on hand would require a full accounting, which	Noto: Alliegues
>	Not.Cred.		defeats the purpose of a waiver. See Examiner's Note re declaration at #2 on Page 2.	Note: All issues remain noted for
>	Notice of		decidiation at #2 on rage 2.	reference.
	Hrg		Executor (Statutory): \$22,275.33	
~	Aff.Mail	W	Executor waives increased fees re supp I&A	SEE PAGE 2
	Aff.Pub.		Attorney (Statutory): \$22,275.33	
	Sp.Ntc.		Declaration filed 3/25/16 states although the	
	Pers.Serv.		supplemental I&A increased the value of the estate, the	
	Conf.		attorney is not requesting any additional fees or costs.	
	Screen V Letters		Ct (CC	
>			Costs: \$25.50 (certified letters)	
	Duties/Supp		Closing: \$4,900.00	
	Objections		S. 4 11 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
	Video		Petitioner requests distribution pursuant to Decedent's	
	Receipt		will as follows:	
	CI Report		Karen D. Bunting: Sapphire and diamond tennis bracelet	
>	9202		and sapphire and diamond ring (See #3) (See #2 re	
~	Order	Χ	РОН)	
	Aff. Posting		Michele Lynn Lambert: Gold chain and diamond solitaire	Reviewed by: skc
	Status Rpt		necklace and matching drop earrings (six diamonds) (See #3) (See #2 re POH)	Reviewed on: 3/29/16
	UCCJEA		Lisa Defoor: Emerald and diamond ring and emerald	Updates:
	Citation		and diamond bracelet (See #3) (See #2 re POH)	Recommendation:
~	FTB Notice		Roberta Darrow MacGlashan: Engagement ring and diamond solitaire with ten small diamonds (See #3) (See #2 re POH)	File 27- McGlashan
			Craig MacGlashan as successor trustee of testamentary trust: Residue of estate (See #4) (See #2 re POH)	

Page 2 - NEEDS/PROBLEMS/COMMENTS:

1. Order entered 5/25/15 in the conservatorship 10CEPR00285 provided for distribution of all remaining assets in the conservatorship estate to the decedent's estate.

Schedule E of the final account, Assets on Hand as of 1/1/14, included Morgan Stanley Smith Barney Active Assets Account xx801076 with various securities. One of the securities assets listed within that account was 2,978.046 shares of Allianz OCC Growth A Fund, which had an estimated Fair Market Value on 1/1/14 of \$118,913.38. See last asset listed under Item No. 6 at Page 3 of Schedule E of the Amended Petition filed 2/23/15.

The Corrected Final 1&A filed 2/18/16 in this estate matter appears to list the Morgan Stanley Active Assets Account, but reflects a different account number xx515076, and although it lists all of the other securities shown in the Conservatorship accounting, it excludes the above-referenced Allianz asset.

However, a separate asset is shown, categorized as a Mutual Fund, that indicates 0.331 shares "Allianzai Focused Growth A", but with the same CUSIP number as the above Allianz asset, and valued at \$13.22. See Item No. 2 on Attachment No. 2 of Corrected Final I&A filed 2/18/16.

Therefore, need clarification as to this discrepancy:

- -Is the asset listed in the estate I&A the same Morgan Stanley account as was identified as property on hand at the decedent's date of death in the Conservatorship Estate?
- -Is the asset listed in this estate I&A as "Allianzai..." the same asset as the "Allianz OCC Growth A Fund" that was part of the Morgan Stanley account in the Conservatorship Estate?
- -What happened to the balance of the shares and/or value?

Supplemental I&A filed 3/25/16 adds 2.9773715 shares valued at \$118,900.16, for a total of 2978.046 shares and a total value of \$118,913.38, as distributed from the conservatorship estate account.

2. Need statement of Assets On Hand pursuant to Cal. Rule of Court 7.550(b) (4). Note: At Paragraphs 13 and 29, Petitioner refers to the I&A value of \$963,766.62 as "assets of the estate on hand as of January 1, 2014, (date of decedent's death)," but does not appear to state the current POH anywhere.

Declaration of Robert L. Howk filed 3/25/16 states a statement of current property on hand is part of a full accounting, which has been wiaved, and it is his contention that this is not required. See declaration at #13 for details.

However, Examiner notes that Cal. Rule of Court 7.550 requires specific information to be provided when accounting is waived. 7.550(b)(4) requires a statement of current assets on hand. How can the Court authorize distribution of specific assets and amounts without a verified statement that they are, in fact, on hand for distribution? Need verified statement that all assets requested to be distributed are, in fact, on hand for distribution. Note: This is for all assets to be distributed, not just the jewelry.

3. The decedent's will contains specific devises of various iewelry items to various heirs; however, no jewelry was inventoried among the assets of this estate. The Court cannot authorize distribution of items that were not inventoried as assets of the estate. If these jewelry items are assets of the estate, need Supplemental I&A with appraisal by Probate Referee. If not, this distribution request should not be included in the petition or proposed order, and the Court may require amended petition and/or notice to the affected heirs that such distribution will not be ordered by the Court.

Supplemental I&A filed 3/25/16 adds the various jewelry items with a total value of \$20,000.00.

27

Page 3 - NEEDS/PROBLEMS/COMMENTS (Cont'd):

4. Petitioner requests to distribute the jewelry items as noted in #3 above, and then requests to distribute the remaining part of the estate to Craig MacGlashan as trustee of the testamentary trust created under the will. However, the decedent's will provides that the various **personal property assets** (including furs, art, furniture, antiques/siver, etc.) be distributed to Craign MacGlashan outright. **The trust is then created for the balance**, and should not include the personal property assets.

Declaration of Robert L. Howk filed 3/25/16 states there was a typo on Line 33c of the Petition and it should read: Remaining part of the estate to be distributed to Craig MacGlashan outright with no residue to be distributed to Craig MacGlashan as successor trustee of the trust created under the will, following the terms of the trust per Paragraph 6." After distribution of the four specific bequests, the balance of the estate passes to Craig MacGlashan. The value of the estate is valued such that no amount must be transferred into the trust as no transfer is needed to eliminate, or reduce any federal estate tax. Declaration refers to Article Sixth of the Will.

<u>Examiner's Note: This appears incorrect.</u> As stated above, the will provides that the <u>tangible personal property assets</u> (furniture, art, etc.) be distributed outright. However, the marital deduction portion of the trust is just that portion described in Article Sixth. Article Seventh then provides the actual testamentary trust, and then Article Eighth states: "All property received by the Trustee under Paragraph B of Article SIXTH and/or Paragraph B of Article SEVENTH shall be held, managed and distributed by the trustee hereinafter named for the benefit of my son, CRAIG SCOTT MACGLASHAN, as follows....." Article Eighth then provides for distribution upon Craig's death.

Therefore, according to the will, only the tangible personal property should be distributed to Petitioner outright, and the remainder (the cash and investments) should be held in trust.

5. Need new order pursuant to Local Rules 7.1.1.F, 7.6.1. Order should indicate specific distributions, pursuant to above isssues, should state cash in dollar amounts, and should establish and contain the terms of the testamentary trust. Order should be complete in itself, without having to reference the petition, will, or other file documents.

A revised order was submitted; however, see #4 above. Need order reflecting the testamentary trust.

Declaration of Robert L. Howk filed 3/25/16 states it is his contention that none of these supplemental items and corrections should affect the distribution of the estate as a waiver of accounting has been filed in this case on behalf of each of the beneficiaries.